

State or any county thereof authorized by law to levy and to collect taxes, shall not be brought.

Be it enacted by the Legislature of the State of Texas:

Section 1. From and after January 1, 1920, no suit shall be brought in any court of this State for delinquent taxes due to the State or to any county, city, municipality, school district, road, improvement, or irrigation district, or any other political or other subdivision of the State or any county, authorized by law to levy taxes and assess them, more than ten years after such taxes have become delinquent, but nothing herein shall prevent suits in personam for taxes past due.

Sec. 2. This Act shall not be held or construed to prejudice or in any manner to effect any suit now filed or which shall hereafter be filed before January 1, 1921, but all such suits shall be disposed of according to the law in effect at the time of their filing, provided that this Act shall not apply to any taxes whatever that were due April 3, 1915, the date that House Bill No. 40, Chapter 147, passed by the Thirty-fourth Legislature, was approved, but that all such taxes shall be subject to collection, under said law.

Sec. 3. All laws or parts of law in conflict with this Act are hereby expressly repealed.

Committee Room,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred S. B. No. 360, A bill to be entitled "An Act to exempt from taxation all public securities issued after this Act takes effect,"

Has had said bill under consideration and I am directed to report the same back to the Senate with the recommendation that it do pass, and be printed in the Journal only.

DEAN, Chairman.

By McNealus. S. B. No. 360.

A BILL

To be entitled.

An Act to exempt from taxation all public securities issued after this Act takes effect.

Be it enacted by the Legislature of the State of Texas:

Section 1. That all bonds, scrip and other evidences of public debt issued after this Act takes effect by the State of Texas, or by any agency of the State, or by any town, school district or other subdivision or district of the State having any powers of taxation, shall be exempt from all forms of State or local taxation.

Sec. 2. The exemption provided for by Section 1 of this Act shall apply to evidences of debt issued after this Act takes effect to refund existing debts, but such exemption shall not apply to then existing evidences of debt unless and until they are refunded.

FORTY-FOURTH DAY.

Senate Chamber,

Austin, Texas, March 14, 1919.

The Senate met at 4:15 o'clock p. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.
Hall.	

Absent—Excused.

Bailey. Dudley.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

Petitions and Memorials.

There were none today.

Standing Committee Reports.

See Appendix.

Morning call concluded.

The Senate in Springtime.

A Southern spring, a Southern spring,
And the balmy zephyrs blowing—
The Woods are putting on their
green

And the West-brook's softly flow-
ing.

The Texas solon tires of work;
His clerk finds naught to Suiter,
And when she pines for springtime
paths

There's no one to dispute her.
The Willie-ford is bubbling clear,
The woodland birds are matin',
And boyhood dreams beguile the
thoughts

Of Gibson and of Dayton.
The Alder(dice) grows straight and
tall;

We think of country Cousins,
And not a Page is to be found
Where once they came in dozens.

The Senators retain their Witt,
Yet oft they deign to borrow,
And few withstand the lure of spring
As doth the statesman Dorrough.

Buchanan, from the wild, wild West,
With good-will is abounding;

The Dean, in stately garb looks
'round

And hears a Bell, sweet sounding.
A far-off look is in the eye

Of our most reverend Rector;
No doubt he longs for purling
streams—

And Hertzberg's no objector.
Hopkins is listening to the birds,
While he writes his amendment;

And Faust can see a bill expire
Without the least resentment.

'Tis true that Floyd is oft annoyed
By Johnson and his gavel;

And Strickland vents his rhetoric
On schemes he would unravel;

But Lon A. Smith, the Senate bard,
Writes odes to maidens cuddly,
Who strolled with him in bygone
days—

Far be such thoughts from Dudley.
McNealus, of the Dallas clan,
Grows younger, sprightlier, jaily;
The genial spirit of the spring
Reflects from gallant Bailey.

E'en Johnston thinks of one small
lad

Who used to go a-fishing',
And smiles at Carlock, 'cross the
way,

As if he might be wishing'.
Buchanan, too, who hails from Bell,
With picnic plans is brimmin',
And Clark and Hall exchange a sign
That means: "Let's go a-swim-
min'."

And as the dewy eve draws nigh
They think of one Cold-well—
The only fount from which they now
May drown the springtime spell.

Just grown-up boys, our solons are—
Thus reads this soulful ditty,
Which I am sure will pass at Parr
When it comes through Committee.

—Frances McMinds,
Research Librarian for Senate.

The foregoing was read and, on
motion of Senator Dayton, was or-
dered printed in the Journal.

House Joint Resolution No. 38.

The Chair laid before the Senate
on third reading:

H. J. R. No. 38, being a resolution
to be entitled "House Joint Resolu-
tion proposing an amendment to Ar-
ticle 16 of the Constitution of the
State of Texas, by adding a new sec-
tion thereto, to be known as Section
59, providing that the Legislature
shall have power to enact laws au-
thorizing a division of the net pro-
ceeds arising from the operation of
the prison system of this State be-
tween the State and prisoners con-
fined in the penitentiary of their de-
pendents; providing for the submis-
sion of a proposed amendment to a
vote of the people, and making an
appropriation to defray the expenses
of such election."

Senator Woods offered the follow-
ing amendment, which was read and
unanimously adopted:

Amend H. J. R. No. 38 by striking
out the figures "59" where they oc-
cur in the caption and in the reso-
lution and insert in lieu thereof the
figures "60."

The resolution was laid before the

Senate, read third time and, on motion of Senator Johnston, was passed by the following vote:

Yeas—25.

Alderdice.	Hertzberg.
Bell.	Johnston.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Carlock.	Rector.
Clark.	Strickland.
Cousins.	Suiter.
Dayton.	Westbrook.
Dorough.	Willford.
Faust.	Witt.
Gibson.	Woods.
Hall.	

Absent.

Dean.	Hopkins.
Floyd.	Smith.

Absent—Excused.

Bailey.	Dudley.
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House Bill No. 534—Recalled From the House.

Senator Parr made the following written motion:

I move the Senate request the House to return to the Senate H. B. No. 534 for correction.

PARR.

The motion was read and adopted.

Senate Bill No. 147—Conference Committee Elected.

Senator Suiter made the following motion:

I move that the Senate do not concur in the House amendments to S. B. No. 147, but that the Senate ask for a conference committee, and that the following members be elected on the part of the Senate: Westbrook, Dean, Witt, Buchanan of Bell and Alderdice.

SUITER.

The motion was read and adopted carrying the election of the conferees named.

House Joint Resolution No. 29.

The Chair laid before the Senate on third reading:

H. J. R. No. 29, A resolution to be entitled "A Joint Resolution to amend Article 7, Section 10, 11, 12, 13, 14 and 15, of the Constitution of the State of Texas, which article relates to education, and which section provides for the establishment and support of the University of Texas, the Agricultural and Mechanical College of Texas, and for a branch college for the instruction of colored youths, and which amendments provide for the permanent location of the University of Texas, the Agricultural and Mechanical College of Texas, the Prairie View State Normal and Industrial College and the State College of Industrial Arts; provide that the Texas State Medical College and the School of Mines at El Paso, shall be branches of the University of Texas, and for their permanent location, etc."

The resolution was laid before the Senate, read third time, and, on motion of Senator Dayton, was passed by the following vote:

Yeas—27.

Alderdice.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Willford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Absent.

Hopkins.	Smith.
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Absent—Excused.

Bailey.	Dudley.
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House Joint Resolution No. 35.

The Chair laid before the Senate on third reading:

H. J. R. No. 35, a resolution to be entitled "A House Joint Resolution proposing an amendment to Section 51 of Article 3 of the Constitution of the State of Texas, to provide that the Legislature may grant pensions to Confederate soldiers, sailors and their widows, who have been citizens of

Texas since January 1, 1912, providing that all soldiers, sailors and their widows eligible under the provisions hereof shall be entitled to be placed upon the rolls and participate in the pension fund created hereunder; levying a tax of six cents on the \$100 valuation of property in this State for the payment of such pension, providing that the Legislature may reduce the rate of pension for such purpose, fixing a time for the election to be held on such amendment, and making an appropriation to pay the expenses thereof."

The resolution was laid before the Senate, read third time, and, on motion of Senator Dean, was passed by the following vote:

Yeas—27.

Alderdice.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Absent.

Hopkins.	Smith.
	Absent—Excused.
Bailey.	Dudley.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, March 13, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the return of H. B. No. 534, for purpose of roll call.

Respectfully submitted,
T. B. REESE.

Chief Clerk, House of Representatives.

House Bill No. 534—Reconsidered.

Senator Parr called up and moved to reconsider the vote by which H. B. No. 534 was passed finally.

The motion prevailed.

The Chair laid before the Senate on third reading:

H. B. No. 534, creating the Pharr-San Juan Independent School District in Hidalgo County.

The bill was laid before the Senate, read third time, and, on motion of Senator Parr, was passed by the following vote:

Yeas—29.

Alderdice.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.
Hall.	

Absent—Excused.

Bailey.	Dudley.
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Senate Bill No. 395.

The Chair laid before the Senate on third reading:

S. B. No. 395, A bill to be entitled "An Act amending the City Charter of the city of Gainesville, Texas, by adding thereto this Act, authorizing the city council of said city to issue refunding bonds of said city for the purpose of refunding any outstanding unpaid bonds of said city without the necessity of ordering and holding an election, and declaring an emergency."

The bill was laid before the Senate, read third time, and, on motion of Senator Dayton, was passed by the following vote:

Yeas—28.

Bell.	Dean.
Buchanan of Bell.	Dorough.
Buchanan of Scurry.	Faust.
Caldwell.	Floyd.
Carlock.	Gibson.
Clark.	Hall.
Cousins.	Hertzberg.
Dayton.	Hopkins.

Johnston.	Strickland.
McNealus.	Suiter.
Page.	Westbrook.
Parr.	Williford.
Rector.	Witt.
Smith.	Woods.

Absent.

Alderdice.

Absent—Excused.

Bailey.

Dudley.

House Bill No. 597.

The Chair laid before the Senate on second reading:

H. B. No. 597, A bill to be entitled "An Act to amend Sections 6, 7, 8, and 13, of Chapter 12, Acts of the Thirty-fourth Legislature, passed at its Regular Session, being 'An Act to create a special and more efficient road system for Collin County, in the State of Texas'."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Westbrook, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 597 put on its third reading and final passage by the following vote :

Yeas—26.

Alderdice.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Carlock.	Rector.
Clark.	Smith.
Cousins.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Faust.	Witt.
Hall.	Woods.

Present—Not Voting.

Floyd.

Absent.

Gibson.

McNealus

Absent—Excused.

Bailey.

Dudley.

The bill was laid before the Senate, read third time, and, on motion of Senator Westbrook, was passed finally.

House Bill No. 112—Refused to Take Up.

Senator Caldwell asked for unanimous consent to take up out of its order H. B. No. 112, establishing a home for neglected and dependent white children.

There was objection by Senator Clark and the bill was not taken up.

House Bill No. 635.

The Chair laid before the Senate on second reading:

H. B. No. 635, A bill to be entitled "An Act to create a more efficient road law for Delta county."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Floyd, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 635 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Hopkins.
Bell.	Johnston.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Hall.	Woods.
Hertzberg.	

Present—Not Voting.

Carlock.

Absent.

Gibson.

Absent—Excused.

Bailey.

Dudley.

The bill was laid before the Senate, read third time and, on motion of Senator Floyd, was passed finally.

Yeas—28.

Alderdice.	Dayton.
Bell.	Dean.
Buchanan of Bell.	Dorough.
Buchanan of Scurry.	Faust.
Caldwell.	Floyd.
Clark.	Gibson.
Cousins.	Hall.

Hertzberg.	Smith.
Hopkins.	Strickland.
Johnston.	Sulter.
McNealus.	Westbrook.
Page.	Williford.
Parr.	Witt.
Rector.	Woods.

Present—Not Voting.
Carlock.

Absent—Excused.

Bailey. Dudley.

House Joint Resolution No. 35.

Senator Dean moved to reconsider the vote by which H. J. R. No. 35, was passed finally.

The motion prevailed.

On motion of Senator Dean the vote by which amendment No. 2 (see page 930) was adopted, was rescinded.

The resolution was laid before the Senate, read third time and, on motion of Senator Dean, was passed by the following vote:

Yeas—27.

Alderdice.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Sulter.
Dorough.	Westbrook.
Faust.	Williford.
Floyd.	Woods.
Gibson.	

• Absent.

Hall. Witt.

Absent—Excused.

Bailey. Dudley.

Senate Concurrent Resolution No. 11 —Conference Committee Report.

Senator Dean called up and moved to adopt the conference committee report on Senate Concurrent Resolution No. 11 (see page 859, for the report in full), providing for holding a constitutional convention.

As a substitute Senator Woods of-

fered the following written motion:

I move that the Senate do not adopt the conference report on Senate Concurrent Resolution No. 11, but that the conference committee be continued, and that they be instructed to seek another conference with the House Committee, and be also instructed to insist that the report of the committee shall include a provision for submitting to the vote of the people at the election provided for, the question as to whether there shall be called a constitutional convention.

WOODS.

The substitute was read and adopted.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, March 13, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 36, A bill to be entitled "An Act to amend Chapter 1, of Title 44, of the Revised Civil Statutes of the State of Texas, 1911, and to provide the manner in which State funds shall be kept and deposited; to define the State Depository Board and its powers, and what banks may become State depositories, and the manner and means of selecting, and for the qualifications of such State depositories, providing for the distribution of such State funds among such State depositories, repealing all laws in conflict, and declaring an emergency."

With amendments.

The House grants the request of the Senate for a conference committee on S. B. No. 147, and the following have been appointed to act on the part of the House:

Messrs. McMillan, Fly, Williams of McLennan, Horton and Sackett.

Indefinitely postponed conference committee report on Senate Concurrent Resolution No. 11.

Respectfully submitted,

T. B. REESE,
Chief Clerk, House of Representatives.

Senate Bill No. 308.

The Chair laid before the Senate on third reading:

S. B. No. 308, A bill to be entitled "An Act to amend Article 2925, Chapter II, Title 49 of the Revised Civil Statutes of the State of Texas of 1911, relating to the compensation of judges and clerks of general and special elections, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Hertzberg, was passed finally.

Senate Bill No. 177.

Senator Clark called up and the Chair laid before the Senate on second reading:

S. B. No. 177, A bill to be entitled "An Act authorizing towns and villages incorporated under the general law to construct at each residence therein, or any other place therein sanitary closets of such type as will receive the approval of the Texas State Board of Health, and empowering the Board of Aldermen of such town or village to assess the cost of such improvement on the real estate or lot or lots upon which such expense is incurred and providing that lien may be fixed upon such lot or lots, etc."

The bill was read second time and failed to pass to engrossment by the following vote:

Yeas—11.

Bell.	Floyd.
Clark.	Hopkins.
Cousins.	Johnston.
Dean.	McNealus.
Dorough.	Westbrook.
Faust.	

Nays—12.

Alderdice.	Hertzberg.
Buchanan of Bell.	Page.
Buchanan of Scurry.	Suiter.
Caldwell.	Williford.
Carlock.	Witt.
Gibson.	Woods.

Absent.

Dayton.	Rector.
Dudley.	Smith.
Hall.	Strickland.
Parr.	

Absent—Excused.

Bailey.

61—Jour.

House Bill No. 168.

Senator Dorrough called up and the Chair laid before the Senate on second reading:

H. B. No. 168, A bill to be entitled "An Act appointing and designating Mrs. O. M. Roberts as assistant guide in charge of painting; providing for her salary; making an appropriation, and declaring an emergency."

The bill was read second time, and passed to its third reading.

On motion of Senator Dorrough the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 168 put on its third reading and final passage by the following vote:

Yeas—29.

Alderdice.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.
Hall.	

Absent—Excused.

Bailey.	Dudley.
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The bill was laid before the Senate, read third time and, on motion of Senator Dorrough, was passed by the following vote:

Yeas—26.

Alderdice.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Johnston.	Westbrook.
Rector.	

Absent—Excused.

Bailey.

Dudley.

House Bill No. 249.

The Chair laid before the Senate on second reading:

H. B. No. 249, A bill to be entitled "An Act to establish a standard of weights and measures in the State of Texas; to regulate weights and measures and weighing and measuring instruments and devices, and providing for the inspection and sealing thereof and attesting to the accuracy of same; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, merchandise, packages and amounts of commodities kept for sale in the process of delivery; to prevent the sale of goods, wares, merchandise, agricultural or farm products by false weights and measures; to provide penalties for the violation of this Act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the certification of any such standard of weights and measures when necessary to be introduced in a court of competent jurisdiction; providing for the appointment of officers to enforce and carry into effect the provisions of this Act; providing that the Commissioner of Markets and Warehouses shall be ex-officio superintendent of weights and measures; providing for appointment of a chief deputy, with full power to act as Superintendent of Weights and Measures in case of the absence and inability of the State Superintendent to discharge the duties of his office; defining the powers and duties of all officers appointed to carry out the provisions of this Act, and making an appropriation necessary to enforce the provisions of this Act."

The committee report that the bill be printed in the Journal only was adopted.

The bill was read second time, and passed to its third reading.

On motion of Senator Westbrook the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 249 put on

its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Smith.
Cousins.	Strickland.
Dayton.	Sulter.
Dean.	Westbrook.
Dorough.	Williford.
Faust.	Witt.
Gibson.	Woods.

Absent.

Floyd.	Rector.
Johnston.	

Absent—Excused.

Bailey.	Dudley.
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The bill was laid before the Senate, read third time and, on motion of Senator Westbrook, was passed finally.

House Bill No. 22.

Senator Strickland asked for unanimous consent to take up H. B. No. 22.

Senator Floyd objected.

Senator Strickland moved that the regular order of business be suspended, and the Senate take up out of its order H. B. No. 22.

The motion prevailed by the following vote:

Yeas—24.

Alderdice.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Westbrook.
Dorough.	Williford.
Faust.	Witt.
Hall.	Woods.

Nays—2.

Floyd.	Sulter.
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Absent.

Clark.	Rector.
Gibson.	

Absent—Excused.

Bailey.

Dudley.

The Chair laid before the Senate on second reading:

H. B. No. 22, A bill to be entitled "An Act increasing the salaries of district attorneys in all judicial districts in this State, composed of two counties or more to \$3000 per annum; providing the manner of payment of salaries, and making a disposition of the fees, commissions and perquisites of the office of district attorney, and declaring an emergency."

Senator Caldwell offered the following amendment which was read and adopted:

Amend H. B. No. 22, by striking out of Section 1 the words "Penal Code" and insert in lieu thereof the words "Code of Criminal Procedure."

Also insert before the words "in addition to" the words and figures "Article 1120."

Also strike out the word "Commission" and insert in lieu thereof "compensation," so as to make it read "and service for which the said compensation is allowed shall not exceed."

The bill was read second time and passed to its third reading.

On motion of Senator Strickland, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 22 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.
Hall.	

Nays—1.

Suiter.

Absent.

Cousins.

Absent—Excused.

Bailey.

Dudley.

The bill was laid before the Senate, read third time, and, on motion of Senator Strickland, was passed finally.

House Bill No. 605.

The Chair laid before the Senate on second reading:

H. B. No. 605, A bill to be entitled "An Act adding to and making a part of the Harlingen Independent School District of Cameron County, Texas, certain lands and territory adjoining thereto situated in Cameron County, Texas; providing that the trustees of the present district are hereby continued in office until the expiration of their respective terms, and their successors shall be elected as is provided by the general laws for the election of trustees in independent school districts organized for school purposes only, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Alderdice, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 605 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Absent.

Rector.

Strickland.

Absent—Excused.

Bailey.

Dudley.

The bill was laid before the Senate, read third time, and, on motion of Senator Alderdice, was passed by the following vote:

Yeas—28.

Alderdice.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Rector.

Absent—Excused.

Balley.	Dudley.
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House Bill No. 458.

The Chair laid before the Senate on second reading:

H. B. No. 458, A bill to be entitled "An Act to create the Eighty-eighth Judicial District; fixing its jurisdiction and time of holding courts therein; providing for the appointment by the Governor of a judge for the Forty-second District; providing that the district clerk and county attorney of Eastland County each shall be officers of said Eighty-eighth District Court, and fixing their compensation for services rendered therein; providing further for the transfer of cases from and to the Forty-second Judicial District Court and the Eighty-eighth Judicial District Court from one court to the other; requiring notices of such transfer of cases in certain instances to be given; reorganizing the Forty-second Judicial District, and providing for the time for holding court in the counties of Taylor, Callahan, Shackelford and Stephens, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Buchanan of Scurry, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 458 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Faust.	Williford.
Gibson.	Witt.
Hall.	Woods.

Absent.

Floyd.

Absent—Excused.

Balley.	Dudley.
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The bill was laid before the Senate, read third time, and, on motion of Senator Buchanan of Scurry, was passed finally.

Bills and Resolutions Signed.

The Chair, Lieutenant Governor Johnson, gave notice of signing and did sign in the presence of the Senate, after their captions had been read, the following: .

H. B. No. 232, A bill to be entitled "An Act to amend Article 762, Title 22, Chapter 1, Revised Civil Statutes of the State of Texas, 1911, relating to the incorporation of cities, towns and villages with a population of 600 or more inhabitants, and providing that cities, towns and villages with any number of inhabitants having any manufacturing establishments within the corporate limits, and which may be subject to the provisions of the Act known as 'Chapter 23 of the Acts of the Regular Session of the Thirty-fourth Legislature, page 38,' which was approved by the Governor on February 25, 1915, or any amendments thereto, may become incorporated as a city or town, and accept the provisions of Title 22, relating to cities and towns, in lieu of any existing charter, and prescribing the manner of so doing, and further providing that when such city, town or village is so incorporated the same shall be known as a city or town, subject to the provisions of Title 22 of the Revised Civil Stat-

utes of the State of Texas, 1911, relating to cities and towns, and vested with all the rights, powers, privileges, immunities and franchises therein conferred."

H. B. No. 365, A bill to be entitled "An Act to amend Article 5437, Title 79, Chapter 9, of the Revised Civil Statutes of Texas of 1911, and providing that any part of a tract of land heretofore or hereafter sold by the State may, in the discretion of the Commissioner of the General Land Office, and regardless of the number of acres contained therein, be patented at any time upon the payment of the balance due the State for such part, together with the patent fees prescribed by law, and to repeal all laws in conflict herewith."

H. B. No. 208, A bill to be entitled "An Act to validate all sales of public free school lands made by the State of Texas, by authority of the Acts of the Legislature of date April 12 and 14, 1883, wherein the State did by its award of sale or classification of such lands specifically reserve the minerals in such lands, be and the same are hereby validated, and the State of Texas hereby relinquishes unto the owners of said lands all of its rights and title to said lands and minerals, and declaring an emergency."

H. B. No. 601, A bill to be entitled "An Act creating Ray Common School District No. 27, in Goliad County, Texas; providing a board of trustees thereof, providing that said common school district and the board of trustees thereof shall have and enjoy all the rights, powers, privileges and duties imposed and conferred by the general statutes upon common school districts in this State."

H. B. No. 562, A bill to be entitled "An Act to amend Sections 2, 6, 7, 10, 12 and 14 of Chapter 47, Acts of Thirty-fourth Legislature, passed at its regular session, being 'An Act to create a more efficient road system for Mills County, so as to prescribe how road and bridge taxes collected from persons and upon property in incorporated cities and towns in said county shall be expended; so as to provide for the hiring of engineers to supervise construction and maintenance work; so as to provide for increased compensation to be paid road hands,

and for teams; defining a good day's work; increasing the compensation to be paid road overseers; increasing the amount to be paid in lieu of road duty; and to secure exemption from road duty, and declaring an emergency."

H. B. No. 613, A bill to be entitled "An Act creating the South Elm Common School District No. 58 of Milam County, Texas; providing a board of trustees therefor; providing that said common school district and the board of trustees thereof shall have and enjoy all the rights, powers, privileges and duties imposed and conferred by the general statutes of Texas upon common school districts in this State, and declaring an emergency."

H. B. No. 600, A bill to be entitled "An Act to create a more efficient road system for Erath county, in this state, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners, etc., and declaring an emergency."

H. B. No. 551, A bill to be entitled "An Act creating and incorporating the Canadian Independent School District in Hemphill county and defining the boundaries thereof."

H. B. No. 604, A bill to be entitled "An Act creating, establishing and incorporating the Donna Independent School District in Hidalgo county, Texas."

H. B. No. 560, A bill to be entitled "An Act amending House Bill No. 647, passed by the Regular Session of the Thirty-third Legislature of the State of Texas, and declaring an emergency."

H. B. No. 525, A bill to be entitled "An Act creating the Tynan Independent School District in Bee, San Patricio and Live Oak counties, Texas, and providing for the election of a board of trustees to manage and control the public free schools within said district, naming the fiscal year as to taxes, investing said district with all the powers, rights and duties of independent school districts formed for free school purposes only, and declaring an emergency."

H. B. No. 602, A bill to be entitled "An Act to amend Chapter 8, Acts of the Fourth Called Session of the Thirty-fifth Legislature, creating the

Burkeville Independent School District in Newton county, Texas, defining its boundaries."

H. B. No. 577, A bill to be entitled "An Act to validate sales of public free school lands sold on September 25, 1895, and declaring an emergency."

H. B. No. 531, A bill to be entitled "An Act to create a more efficient road system for Limestone county, Texas, adopting certain provisions of Chapter 2, Title 18, Revised Civil Statutes of 1911, as amended and added to by Chapter 203, Acts of 1917, and Chapter 18, General Laws, Fourth Called Session, Thirty-fifth Legislature, except as herein otherwise provided, and prescribing ways and means of conducting and supervising the construction of roads in said county or any political subdivision or defined district thereof; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

S. B. No. 69, A bill to be entitled "An Act making an appropriation for cleaning the State Library and arranging material, and declaring an emergency."

S. B. No. 391, A bill to be entitled "An Act creating a more efficient road system for Rockwall county, Texas; defining its boundaries, etc., and declaring an emergency."

House Bill No. 587.

The Chair laid before the Senate on second reading:

H. B. No. 587, A bill to be entitled "An Act to fix the time of holding the courts in the Sixty-fourth Judicial District of Texas; to validate all process, bonds, and recognizances heretofore taken in the courts of said district, and all judgements therein rendered, or to be rendered; repealing all laws in conflict herewith, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Bell, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 587 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Absent.

Parr. Strickland.

Absent—Excused.

Bailey. Dudley.

The bill was laid before the Senate, read third time and, on motion of Senator Bell, was passed finally.

Senate Bill No. 36—House Amendments Concurred In.

Senator Hopkins called up to concur in House Amendments to S. B. No. 36, Depository bill.

The following House Amendments were laid before the Senate and read:

Amend Senate Bill No. 36 by striking out in Article 2423 the words "or vendor's lien or mortgage notes" as they appear before the words "shall be received," and by striking out all of the sentence beginning with "In case vendor's lien" and ending with "Attorney General," and insert in lieu thereof the following:

"In case vendor's lien or mortgage notes are offered for deposit they shall be accompanied by an abstract of title to the land securing the payment thereof and an opinion of a reputable attorney, residing in the county where such land is located, approving such title and the depository board shall make such investigation in regard to the value of the land securing the payment of such notes as is deemed proper, and it may require such payment or deposit as is deemed proper to cover the expense of investigating the title to and value of the land securing the payment thereof. Said depository board shall have the right to re-

ject with or without cause any abstract, opinion thereon, or any notes, or other securities that may be offered."

Amend Senate Bill No. 36 by striking out the period at the end of Article 2428 and insert in lieu thereof a semicolon, and the following:

"Provided that such officers as are required by law to remit to some other officer or department, shall instead of remitting to the State Treasury remit as is required by law, within the time herein fixed for making remittances to the State Treasurer."

Amend Senate Bill No. 36, by striking out Articles 2429 and 2430 and by inserting in lieu thereof the following:

Article 2429. The State Depository Board may in its discretion, designate certain depositories as receiving depositories and authorize such officers and other persons, who come into possession of funds, belonging to the State to deposit such funds in any of such depositories as are found most convenient for the State Treasurer; but unless specially authorized to deposit in such depositories such persons shall remit such funds to the State Treasury. In any event such funds may be sent in cash, by registered letter, by postoffice money order, express money order of any company authorized to do business in Texas, or by bank draft on any State or national bank authorized to do business in Texas, in such cases the liability of the persons sending the same shall not cease until the said money is actually received by the State Treasury or the duly authorized State depository in due course of business.

Article 2430. In all cases where State funds are deposited in State depositories by the persons paying the same, such depository shall issue and deliver to such person a triplicate receipt thereof, one of which shall be preserved by the party making such deposit and the others shall be forwarded to the State Treasurer and the Comptroller, respectively, and if any State depository shall receive or have on hand State funds in excess of the amount of deposit awarded it by the provisions of this chapter, the same shall be considered in computing the average daily balances and draw the same interest; but such depository shall on the first business

day of each month and oftener if requested by the State Treasurer, remit all State funds in excess of the amount it is entitled to keep to the State Treasury; and in case any State depository shall fail or refuse to remit this excess, or in case it shall fail to remit any other funds on deposit when requested to do so by the State Treasurer under the provisions of this Act shall forfeit its right to act as State depository, and the State Treasurer shall at once close his account with said depository and notify all collectors and others charged with the duty of collecting public funds for the State of Texas, and the Attorney General of the State shall cause such action to be taken, if any, as shall be necessary to protect the State's interest in the premises.

Amend Senate Bill No. 36 by striking out the word and figures "Article 2435" and by inserting in lieu thereof the following: "Section 2."

Amend Senate Bill No. 36, Article 2419, by adding after the words "State funds." in line 2 of said article the following: "to be not less than ten thousand dollars."

Amend Senate Bill No. 36 by striking out "before" in the word "hereinbefore" as it appears in Article 2428, and by striking out "such" before the word "funds" as it appears in Article 2434.

Amend Senate Bill No. 36, by adding after Article 2434 another article to be known as Article 2435, as follows:

Article 2435. If in the opinion of the State Depository Board it is advisable to have the State's business cleared through a bank other than one of the regular State depositories, it may advertise for bids from all State and national banks having a capital stock of not less than fifty thousand dollars, for the clearing and safe keeping of State funds in the manner herein prescribed for the selection of State depositories, and the bank offering the highest rate of interest, to be not less than two per cent per annum, on the average daily balances on deposit shall be selected and notified to qualify by the deposit of securities or the giving of bond in an amount to be fixed by the depository board in the manner herein prescribed for the qualification of other depositories, and collection and clearings may be handled through such de-

pository, and after giving such depositories a reasonable time for clearing and collection, the State Treasurer shall transfer such funds to the available depository paying the highest rate of interest on average daily deposits.

The Senate concurred in the amendments by the following vote:

Yeas—27.

Alderdice.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Rector.
Cousins.	Strickland.
Dayton.	Sulter.
Dean.	Westbrook.
Dorough.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Absent

Parr. Smith.

Absent—Excused.

Bailey. Dudley.

House Bill No. 247.

The Chair laid before the Senate on second reading:

H. B. No. 247, A bill to be entitled "An Act to define what shall constitute a unit of weight or measure for all commodities purchased or sold by length, weight or measure; providing penalties for anyone who shall sell any article or commodity representing same to be a greater or less number of pounds or quantity per unit with intent to defraud; providing that all articles of foodstuff, produce or commodity shall contain the net weight of such produce or commodity, and providing penalties for the violation of this Act; and declaring an emergency."

The committee report that the bill be printed in the Journal only was adopted.

Senator Faust offered the following amendment, which was read and adopted:

Amend H. B. No. 247, Section 5 thereof, by striking out the following "crushed stone, 2500 pounds, one cubic yard."

The following amendment by Senator Hopkins was adopted:

(2) Amend H. B. No. 247, page 6, engrossed bill, by striking out the period after the word "Act" in line 5 of said bill and insert in lieu thereof a semi-colon and the following: "provided that this Act shall not prevent millers from using such sacks and bags as they have on hand at the time this Act takes effect by having printed or stenciled on such sacks and bags the actual weight of the contents therein."

The bill was read second time, and passed to its third reading.

On motion of Senator Page the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 247 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Smith.
Cousins.	Strickland.
Dayton.	Sulter.
Dorough.	Westbrook.
Faust.	Williford.
Floyd.	Woods.
Gibson.	

Absent.

Dean. Rector.
Parr. Witt.

Absent—Excused.

Bailey. Dudley.

The bill was laid before the Senate, read third time and, on motion of Senator Page, was passed finally.

Adjournment.

At 6:15 o'clock p. m. the Senate, on motion of Senator Clark, adjourned until 10 o'clock tomorrow.

APPENDIX.

Committee Reports.

Committee Room,
Austin, Texas, March 14, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs to whom was referred Senate Bill No. 400, have had the same under consideration and I am directed to report it favorably with the recommendation that it do pass, and be not printed.

ALDERDICE, Chairman.

(Floor Report)

Senate Chamber,
Austin, Texas, March 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

H. B. No. 630, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended by Chapter 72, General Laws of the Thirty-third Legislature, and Chapters 26 and 99, General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, and Chapter 10 of the Third Called Session of the Thirty-fifth Legislature, and Chapter 13, of the Fourth Called Session of the Thirty-fifth Legislature, and H. B. No. 200, Acts of the Regular Session of the Thirty-sixth Legislature, with reference to the mode of preventing horses and certain other animals, from running at large in the counties named, so as to include Armstrong, Dickens, Presidio, Terrell and Throckmorton counties, and declaring an emergency."

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Clark, Chairman; Buchanan of Scurry, Parr, Dorrough, Bell.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 14, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 140, A bill to be entitled "An Act providing that all women teaching in the State of Texas shall be paid the same compensation as is paid to men for doing the same kind, grade or quantity of service as per-

formed by the men. All women performing public service for the State of Texas shall be paid the same compensation as are paid to men for performing the same kind, grade and quantity of service."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Alderdice, Chairman; Gibson, Dayton, Dean, Williford, Witt, Cousins, Westbrook.

FORTY-FIFTH DAY.

Senate Chamber,
Austin, Texas,
March 15, 1919.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Smith.
Clark.	Strickland.
Cousins.	Suiter.
Dayton.	Westbrook.
Dean.	Williford.
Dorough.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Bell.	Parr.
Johnston.	Rector.

Absent—Excused.

Dudley.	Hall.
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Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Dorrough.

Excused.

Senator Hall was excused temporarily on account of important business and Senator Dudley indefinitely on motion of Senator Carlock.